

### **REMARKS**

This paper is being submitted in response to the Office Action of September 14, 2004.

In the Action, the Examiner withdrew claims 5-10, 12 and 13 from consideration due to an election. She objected to the drawings and claims for failure of the drawings to show every claimed feature, and to the specification for failure to provide antecedent basis for claim recitations. Claims 1-4 and 11 were rejected under 35 USC § 102(b) as anticipated by Castellano et al. (US 5,536,249), Knauer (US 5,514,097), Haber et al. (US 5,320,609) and Rex et al. (US 4,592,745).

By the above amendments and for the reasons set forth below, each of the objections and rejections have been addressed and/or traversed. Reconsiderations is requested.

#### **Objections**

Corrected drawings accompany this paper. The recited base section is generally synonymous with the housing sleeves 4, 7 which are shown in the originally filed drawings. The means for generating a damping force are depicted in the originally filed drawings, recited in the originally filed claims, and described in the specification at least at pages 13, line 14 *et seq.*, page 3, lines 9-14, and page 4, line 4 through page 5, line 10. The chamber port is generally synonymous with the passage depicted in Figure 1 and now labeled "P". Figures 1a and 1b, added for clarity, are taken from Figure 1 and are supported in the specification at least at page 14, line 3-7.

As to the Examiner's objections to claims 1 and 3, the drive element 49, e.g., a spring, is positively recited and applies the drive force on the driven member when the drive unit is actuated. (See, e.g., Figure 1 and the specification at page 13, lines 1-2, and 9-11.) The Examiner's comment regarding claim 3 has been taken into account, whereby the specification and drawings have been amended to reflect the disclosure of the originally filed claims and that the term "chamber port is intended to be generally synonymous with the passage "P" depicted in amended Figure 1.

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings reflect a change in Fig. 1, i.e., the addition of "P" to designate the passage, and the addition of Figs. 1a and 1b which are views of features shown in the originally filed drawings and/or described in the specification. No new matter is added.

Attachments: Annotated Sheet Showing Changes and Replacement Sheet

It is believed that the changes in the drawings, the above amendments and the preceding comments address and overcome the Examiner's objections.

Rejection under 35 U.S.C. § 102

Claims 1, 2, 3, 4, and 11 were rejected under 35 U.S.C. § 102(b) as anticipated by Castellano et al., Knauer, Haber et al. or Rex et al.

While each of the patents cited by the Examiner relates to injection devices, none discloses damping means or, in fact, remotely suggests or teaches anything about damping during an injection. For at least this reason alone, and now that the claims have been amended for clarity, reconsideration is requested.

New claims 14-26 are allowable over the cited references for the same reason.

Conclusion

It is believed that no additional claim fees are due in connection with this paper. However, a petition to extend the time to respond is submitted herewith, and the Office is hereby authorized to charge any deficiency or credit any overpayment associated with this paper or the petition to Deposit Account 04-1420.

This application now stands in allowable form, and reconsideration and allowance are respectfully requested.

Respectfully submitted,

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Date: \_\_\_\_\_

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By: \_\_\_\_\_



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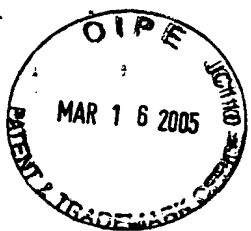


Fig. 1a

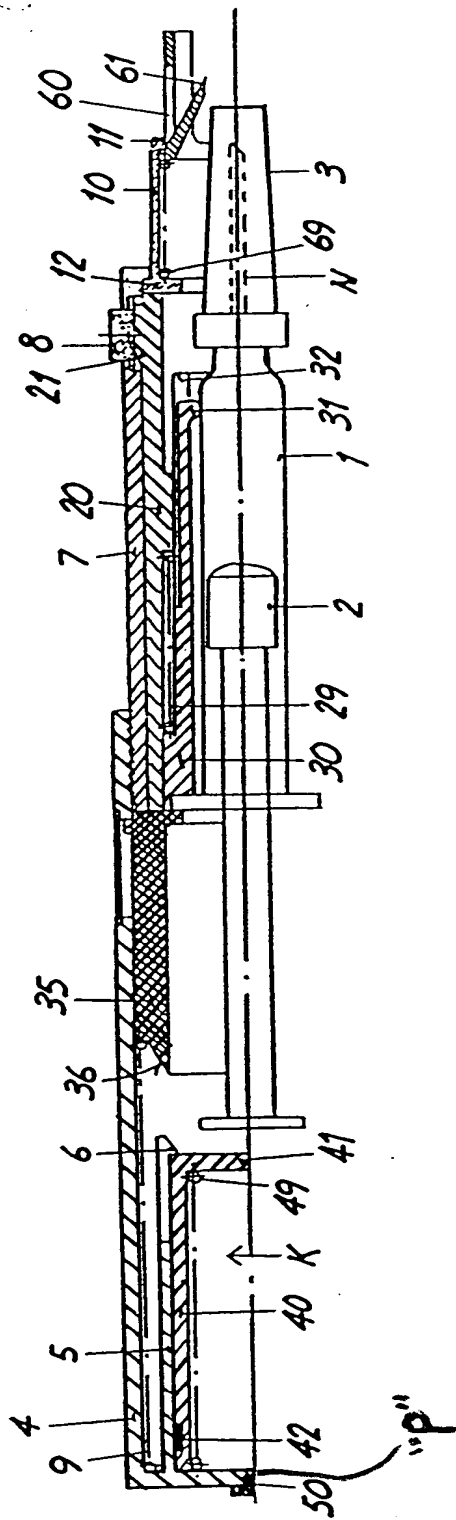


FIG. 1

